

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70196 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- ARA NAWADA District- Bhojpur

DR. RITA SHARMA @ RITA SHARMA wife of Shree Siddhnath Sharma
R/o- Maula Bagh W.No-11, Near Bara Nala Ps- Ara Nawada Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari
For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-03-2024 Heard the parties.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 304, 201 and 34 of the Indian Penal Code.

3. As per the FIR, the daughter of informant died due to negligency by the petitioner along with others, as the accused persons sent the dead body of the informant's daughter to Sadar Hospital, Ara for hiding or destroying the evidence of crime.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no compliance of the



judgment of Hon’ble Apex Court passed in the case of ***Jacob Mathew v. State of Punjab reported in (2005) 6 SCC 1***. He further submits that similarly situated co-accused has been granted anticipatory bail by this Court in Cr. Misc. No.72502 of 2023 dated 30.11.2023. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering that similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Ara Nawada P.S. Case No.60 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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